

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 22, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-32544 - APPLICANT/OWNER: CORESTONE, LLC**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. Conformance to the Conditions of approval for Site Development Plan Reviews (SDR-15035 and SDR-29021), Special Use Permits (SUP-15038 and SUP-15039), Vacation (VAC-26443), and Waiver (WVR-26441), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped: 12/09/2008, except as amended by conditions herein.
4. A Waiver from Las Vegas Downtown Centennial Plan Streetscape Standards is hereby approved, to allow:
 - a. No 25-foot high palms along the vacated portion of Boulder Avenue along the west side of Casino Center Boulevard.
 - b. No 25-foot high palms along the vacated portion of Boulder Avenue along the eastside of First Street.
 - c. 24-inch box Raywood Ash trees to be placed at 33-foot intervals, on center, to adjust for future utility easements at the southeast corner of the subject site.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

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7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040 and the Downtown Centennial Plan.
8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
9. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

10. No permanent structures, trees, or shrubs larger than 30 inches shall be allowed within the Public Sewer Easement reserved by Petition of Vacation VAC-26443.
11. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
12. Site development to comply with all applicable conditions of approval for SDR-29021, SDR-15035, VAC-26443 and all other site-related actions.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a Major Amendment to an approved Site Development Plan Review (SDR-29021) to add a Pedestrian Plaza with a Waiver to the Downtown Centennial Plan Streetscape Standards on 0.70 acres at 123 East Charleston Boulevard. This application is being requested in order to satisfy a conditional requirement of the approved Vacation (VAC-26443).

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
01/08/03	The City Council approved a request for a Special Use Permit (SUP-1146) for a Restaurant Service Bar located at 103 E. Charleston Boulevard. The Planning Commission and staff recommended approval on 12/05/02.
09/20/06	The City Council approved a request for a Site Development Plan Review (SDR-15035) for a proposed 4,930 square-foot Urban Lounge and Waivers of Downtown Centennial Streetscape and Build-To-Line Standards; Special Use Permit (SUP-15038) for a proposed General Business-Related Gaming Establishment and Special Use Permit (SUP-15039) for a proposed Urban Lounge on 0.13 acres at 103-123 East Charleston Boulevard. The Planning Commission and staff recommended approval on 08/24/06.
05/21/08	The City Council approved a request for an Encroachment Agreement (ENCR-26070) for portions of a building to be constructed into the Boulder Avenue public right-of way for approximately 23.5 feet. The encroachment includes the stairs, ramp, walls, planters, and patio. Upon recordation of Vacation (VAC-26443) with the Clark County Recorder's office this encroachment will become null and void.
06/04/08	The City Council approved a request for a Waiver (WVR-26441) of Title 18.12.130 to allow 1st Street to terminate in a dead end street where a cul-de-sac is required at the southeast corner of 1st Street and Boulder Avenue. A Vacation (VAC-26443) was also approved to vacate Boulder Avenue between 1st Street and Casino Center Boulevard, the alley generally located at the northwest corner of Boulder Avenue and Casino Center Boulevard, and a portion of the west side of Casino Center Boulevard located between Coolidge Avenue and Boulder Avenue. The Planning Commission recommended denial with staff recommending approval on 03/27/08.

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08/28/08	The Planning Commission approved a request for a Major Amendment (SDR-29021) to an approved Site Development Plan Review (SDR-15035) to modify the building elevations and placement of a proposed Urban Lounge on 0.13 acres at 123 East Charleston Boulevard. This item was final action at Planning Commission, with staff recommending approval.
11/05/08	The City Council approved the request for two Extensions of Time (EOT-29992 and EOT-29994) of an approved Special Use Permit (SUP-15038) for a proposed General Business-Related Gaming Establishment and (SUP-15039) for a proposed Urban Lounge at 103-123 East Charleston Boulevard.
Related Building Permits/Business Licenses	
07/01/03	Business licenses# R09-01203 and #L09-00200 were both issued for a restaurant with beer/wine/cooler on-sale at 103 E. Charleston Boulevard, Suite #107. These licenses are still active.
03/19/04	A Certificate of Occupancy was issued against building permit #3005612, for a tenant improvement at 103 E. Charleston Boulevard, Suite #107.
Pre-Application Meeting	
12/05/08	A pre-application meeting was held with staff to discuss the submittal of the Site Development Plan Review as required by the previously approved Vacation (VAC-26443).
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	
Field Check	
12/19/08	<p>A field check was completed with the following observations:</p> <ul style="list-style-type: none"> • The existing restaurant, subject site paved. • Access to Casino Center Boulevard closed due to ongoing construction. • The parking lot and area of the proposed Pedestrian Plaza are in good condition and free of debris and graffiti.

Details of Application Request	
Site Area	
Gross Acres	0.70 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Paved lot	C (Commercial)	C-2 (General Commercial)
North	Retail	MXU (Mixed Use)	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)

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South	Retail	C (Commercial)	C-2 (General Commercial)
East	Undeveloped	C (Commercial)	C-2 (General Commercial)
West	Restaurant	C (Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		
Downtown Centennial Plan – Arts District	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District	X		Y
Live/Work Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

Downtown Centennial Plan - 18b The Las Vegas Arts District

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the 18b The Las Vegas Arts District. This area is as a classic urban mix of residential, commercial and cultural uses that will continue to grow as the hub of the arts scene in Las Vegas. The proposed project is consistent with the goals and objectives of the Downtown Centennial Plan.

Redevelopment Plan

The subject site is located within the boundaries of the Las Vegas Redevelopment District. The proposed uses are in conformance with Redevelopment Plan goals and policies that encourage innovative, mixed use projects in this area of the City.

Live/Work Overlay District

This site is within the Live/Work Overlay district. As the proposed pedestrian plaza does not offer any housing options the project is not impacted by the Live/Work standards as outlined in Title 19.06.130.

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DEVELOPMENT STANDARDS

Pursuant to the Downtown Centennial Plan, the following streetscape standards apply:

Streetscape Standards			
	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
North/South Street (Casino Center Boulevard)	One 25-foot tall palm tree spaced every 30-feet.	No trees	N*
North/South Street (1st Street)	One 25-foot tall palm tree spaced every 30-feet.	No trees	N*

* A Waiver of the Downtown Centennial Plan Streetscape Standards has been requested as a part of this Site Development Plan Review and is called out below.

Waivers		
Request	Requirement	Staff Recommendation
To allow no 25-foot high palms along the vacated portion of Boulder Avenue along a portion of the west side of Casino Center Boulevard.	One 25-foot tall palm tree spaced every 30-feet.	Approval
To allow no 25-foot high palms along the vacated portion of Boulder Avenue along the east side of First Street.	One 25-foot tall palm tree spaced every 30-feet.	Approval
To allow 24-inch box Raywood Ash trees to be placed at 33-foot intervals, on center, to adjust for future utility easements at the southeast corner of the subject site.	One 25-foot tall palm tree spaced every 30-feet.	Approval

ANALYSIS

The purpose of this requested Site Development Plan Review is both to satisfy a conditional requirement of the approved Vacation (VAC-26443), and to implement a recommended strategy – the creation of a pedestrian-only plaza by the closing of Boulder Avenue - called out in Chapter Five of the Downtown Centennial Plan.

The scope of this Site Development Plan Review is limited to the vacated area of Boulder Avenue, from 1st Street to the west, to Casino Center to the east which will allow the recordation of the Vacation (VAC-26443). There are no structures being proposed within the Pedestrian Plaza other than some hardscape treatments, landscaping in the form planters and vegetative plantings, and the placement of bollards to restrict vehicular access. As such there are no specific development standards that apply to this project, other than the Downtown Centennial Streetscape Standards.

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Regarding the proposed Streetscaping, the applicant has provided substantial landscaping internal to the site and along portions of Casino Center Boulevard that follow the intent of the Downtown Centennial Streetscape Standards. However, due to the following constraints, a waiver of the Downtown Centennial Plan Streetscape standards is required. The first issue stems from the restriction of landscape placement due to an existing utility easement. This has required a modification to the selection of tree type and the placement interval at the northeast corner of Charleston Boulevard and Casino Center. The second issues stems from emergency site access being taken from the west side of Boulder Avenue via Casino Center Boulevard and east side via 1st Street, which requires no permanent hindrances to be placed where the removable bollards are to be located.

The previous Waivers pertaining to the Urban Lounge originally approved as a part of Site Development Plan Reviews (SDR-15035) still apply.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposal submitted represents the private portion of the anticipated pedestrian plaza. This Site Development Plan Review will cover the southeastern half, called out as “Phase One Boulder Vacation Area” and is an essential strategy in tying in the future development proposed to the north of the plaza as required by section B in “Chapter V. Vehicular Transportation Access”, of the Las Vegas Downtown Centennial Plan.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

This portion of the proposed pedestrian plaza is consistent with the C (Commercial) designation of the General Plan, the zoning regulations of the existing C-2 (General Commercial) zoning district and with an approved waiver, the Downtown Centennial Plan –18b Arts Las Vegas Arts District design standards.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Vehicular access or on site parking is restricted as it is a pedestrian plaza. Access to the Plaza is from 1st Street from the north, Main Street from the northwest, and Casino Center from the southeast.

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4. Building and landscape materials are appropriate for the area and for the City;

The proposed building and landscape materials in this site review , and as approved in with the previous two site reviews, are appropriate for the Arts District and the City.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The proposed development is harmonious and compatible with surrounding commercial properties and is anticipated to provide an important pedestrian-only public plaza venue featuring public art.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The proposed plan will not impact public health, safety or welfare since the development will be subject to City inspections during construction of the building as well routine business license inspections for any commercial activities.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 6

SENATE DISTRICT 3

NOTICES MAILED 140

APPROVALS 4

PROTESTS 1